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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF

Eleanor Schuler et al.

SERIAL NO.: 10/000,005

FILED: November 20, 2001

FOR: Method to Record, Store and Broadcast
Specific Brain Waveforms to Modulate
Body Organ Functioning

)
) Examiner: Charles Alan Marmor
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) Group Art Unit No. 3736
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) Customer number: 23644
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I hereby certify that this correspondence is being deposited
with the United States Postal Service as first class mail in an
envelope addressed to "Commissioner for Patents, P.O. Box
1450, Alexandria, VA 22313-1450," on March 2, 2004.
Name of person signing: Jennifer J. Ramirez
Signature _____

REQUEST TO RESCIND NOTICE OF ABANDONMENT

Honorable Director of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

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TECHNOLOGY CENTER H3700

Dear Sir:

A Notice of Abandonment dated February 11, 2004 has been received regarding this application. Because the Notice of Abandonment is a clear error of the Patent and Trademark Office, retraction of the notice is requested.

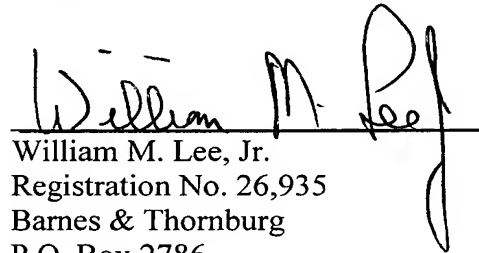
In response to the office action of February 28, 2003, on May 28, 2003, the undersigned mailed to the Patent and Trademark Office an appropriate response which was received by the Patent and Trademark Office on June 2, 2003. Appended hereto are copies of the papers mailed on May 28, 2003 as well a copy of the postcard receipt of the firm of the undersigned which has been returned by the Patent and Trademark Office, showing the June 2, 2003 receipt.

When examiner Marmor had apparently not received the office action, on October 6, 2003, the undersigned had the same papers faxed to examiner Marmor, and those papers were received on that date. Appended hereto is a copy of a fax transmission receipt in that regard.

It is clear that the Patent and Trademark Office has not only received a proper response, but has received that response twice. There is no reason why this application should have been abandoned other than a Patent and Trademark Office error, and it is therefore requested that the Patent and Trademark Office return the application to pending status and not further delay the handling of the application.

March 2, 2004

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William M. Lee, Jr.", is written over a horizontal line. The signature is stylized with a large, looped "L" and a distinct "Jr." at the end.

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